

AMENDED IN SENATE JULY 15, 2009

AMENDED IN SENATE JULY 8, 2009

AMENDED IN SENATE JUNE 30, 2009

AMENDED IN ASSEMBLY MAY 11, 2009

AMENDED IN ASSEMBLY APRIL 13, 2009

CALIFORNIA LEGISLATURE—2009—10 REGULAR SESSION

ASSEMBLY BILL

No. 623

**Introduced by Assembly Member Emmerson
(Coauthor: Assembly Member Jones)**

February 25, 2009

An act to amend Section 5600 of, and to add Section 5600.05 to, the Business and Professions Code, relating to architects.

LEGISLATIVE COUNSEL'S DIGEST

AB 623, as amended, Emmerson. Architects: continuing education.

Existing law provides for the licensure and regulation of persons engaged in the practice of architecture by the California Architects Board. Existing law requires a person licensed to practice architecture to complete, as a condition of license renewal, coursework regarding disability access requirements, as specified, to certify that completion, and to provide specified documentation to the board.

This bill would authorize the board to audit the records of a licensee, *and, until January 1, 2015, would require the board to audit at least 3% of the license renewals received each year*, to verify completion of the coursework and would require a licensee to provide the specified documentation only upon that audit. The bill would exempt a licensee

from these coursework requirements for the licensee's first license renewal in certain circumstances.

The bill would also authorize the board to require a licensee, as a condition of license renewal, to certify to the board that he or she has completed continuing education in, or relevant to, the practice of architecture in subjects relating to health, safety, and welfare. If the board imposes that requirement, the bill would require the board to adopt regulations establishing requirements relating to continuing education, ~~would~~ authorize the board to audit the records of a licensee to verify completion of any continuing education requirements, and ~~would~~ require an applicant for license renewal to verify completion of the requisite continuing education hours, as specified.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 5600 of the Business and Professions
2 Code is amended to read:
3 5600. (a) All licenses issued or renewed under this chapter
4 shall expire at 12 midnight on the last day of the birth month of
5 the licenseholder in each odd-numbered year following the issuance
6 or renewal of the license.
7 (b) To renew an unexpired license, the licenseholder shall,
8 before the time at which the license would otherwise expire, apply
9 for renewal on a form prescribed by the board and pay the renewal
10 fee prescribed by this chapter.
11 (c) The renewal form shall include a statement specifying
12 whether the licensee was convicted of a crime or disciplined by
13 another public agency during the preceding renewal period and
14 that the licensee's representations on the renewal form are true,
15 correct, and contain no material omissions of fact, to the best
16 knowledge and belief of the licensee.
17 SEC. 2. Section 5600.05 is added to the Business and
18 Professions Code, to read:
19 5600.05. (a) (1) As a condition of license renewal, a licensee
20 shall have completed coursework regarding disability access
21 requirements pursuant to paragraphs (2) and (3). A licensee shall
22 certify to the board, as a part of the license renewal process, that
23 he or she has completed the required coursework prior to approval

1 of his or her license renewal and shall, upon a board audit, provide
2 documentation to the board from the course provider that shall
3 include the course title, subjects covered, name of provider and
4 trainer or educator, date of completion, number of hours completed,
5 and a statement about the trainer or educator's knowledge and
6 experience background.

7 (2) (A) For licenses renewed on and after July 1, 2009, and
8 before January 1, 2010, a licensee shall have completed one hour
9 of coursework.

10 (B) For licenses renewed on and after January 1, 2010, and
11 before January 1, 2011, a licensee shall have completed two and
12 one-half hours of coursework.

13 (C) For licenses renewed on and after January 1, 2011, a licensee
14 shall have completed five hours of coursework within the previous
15 two years.

16 (3) Coursework regarding disability access requirements shall
17 include information and practical guidance concerning
18 requirements imposed by the Americans with Disabilities Act of
19 1990 (Public Law 101-336; 42 U.S.C. Sec. 12101 et seq.), state
20 laws that govern access to public facilities, and federal and state
21 regulations adopted pursuant to those laws. Coursework provided
22 pursuant to this paragraph shall be presented by trainers or
23 educators with knowledge and expertise in these requirements.

24 (4) The board may audit the records of a licensee to verify the
25 completion of the coursework requirements of this subdivision. A
26 licensee shall maintain records of completion of the required
27 coursework, containing the information specified in paragraph (1),
28 for two years from the date of license renewal and shall make those
29 records available to the board for auditing upon request.

30 (5) *Until January 1, 2015, the board shall audit at least 3*
31 *percent of the license renewals received each year to verify the*
32 *completion of the continuing education requirements of this*
33 *subdivision.*

34 ~~(5)~~

35 (6) A licensee shall be exempt from the coursework
36 requirements set forth in this subdivision for his or her first license
37 renewal if his or her initial license is issued after January 1, 2010,
38 and is renewed within one year of that initial issuance date.

39 (b) (1) If the board determines, *based upon empirical evidence*,
40 that the public health, safety, and welfare would be served by

1 requiring all architects issued a license under this chapter to
2 complete continuing education, it may require as a condition of
3 license renewal that the licensee certifies to the board, on a form
4 prescribed by the board, that he or she has completed continuing
5 education in, or relevant to, the practice of architecture in subjects
6 relating to health, safety, and welfare during the preceding two
7 years, as determined by the board. The coursework in disability
8 access requirements specified by subdivision (a) shall be applied
9 to the continuing education hours prescribed by the board.

10 (2) If the board requires continuing education pursuant to
11 paragraph (1), the board shall first, by regulation, prescribe
12 requirements relating to continuing education, including, but not
13 limited to, the required courses and number of hours.

14 (3) The board may audit the records of a licensee to verify the
15 completion of any continuing education requirements of this
16 subdivision. A licensee shall maintain records of completion of
17 required continuing education coursework for a minimum of two
18 years from the date of license renewal and shall make those records
19 available to the board for auditing upon request.

20 (c) If the board adopts a continuing education requirement for
21 license renewal as authorized by subdivision (b), an applicant for
22 license renewal shall separately certify on a form prescribed by
23 the board that the applicant has completed the requisite hours of
24 continuing education required by subdivision (b) as a condition of
25 license renewal, and that the requisite hours of continuing education
26 included at least five hours of disability access continuing
27 education as required by subdivision (a).

28 *SEC. 3. It is the intent of the Legislature in enacting this act*
29 *that any continuing education requirement adopted pursuant to*
30 *subdivision (b) of Section 5600.05 of the Business and Professions*
31 *Code shall not conflict with, supplant, or reduce the hours of*
32 *disability access continuing education required by Section 5600*
33 *of the Business and Professions Code as it existed prior to the*
34 *enactment of this act.*